

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MOTOGOLF.COM, LLC,

Case No.: 2:20-cv-00674-APG-EJY

Plaintiff

Order

v.

TOP SHELF GOLF, LLC, et al.,

Defendants

I previously dismissed plaintiff Motogolf.com, LLC's federal claims, with leave to amend its claim under the Computer Fraud and Abuse Act. I denied without prejudice the remainder of the defendants' motion to dismiss because if Motogolf could not plausibly state a federal claim, then I would decline to exercise supplemental jurisdiction over the state law claims. ECF No. 102. Motogolf thereafter filed a second amended complaint. ECF No. 104.

Motogolf has now filed a notice that it is withdrawing the second amended complaint and will proceed on its state law claims in state court. ECF No. 117. Consistent with my prior order, there being no federal claims remaining in this case, I decline to exercise supplemental jurisdiction over the state law claims. Consequently, I dismiss the remaining state law claims without prejudice to Motogolf pursuing those claims in state court.

I THEREFORE ORDER that the clerk of court is instructed to enter judgment in favor of defendants Top Shelf Golf, LLC, Top Shelf IT Solutions, Inc., Ivan Sokolovich, and Inna Sokolovich on plaintiff Motogolf.com, LLC's claims under the Lanham Act and the Computer Fraud and Abuse Act that are based on allegations that the defendants accessed Motogolf's ads or website without authorization by clicking on the ads.

1 I FURTHER ORDER that plaintiff Motogolf.com, LLC's claims under state law are
2 dismissed without prejudice to Motogolf pursuing those claims in state court.

3 DATED this 9th day of June, 2022.

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6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE
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